GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA

STARRED QUESTION NO:213
ANSWERED ON:06.08.2001
ENCROACHED FOREST LAND
RAMANAND SINGH

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Union Government have formulated any policy to give on lease the encroached forest land holdings to the landless agricultural labourers and the tribals who have been cultivating these land holdings for several years;

(b) if so, the details thereof;

(c) whether the Union Government propose to direct the State Governments to handover the holdings of the encroached forest land to the tribals and landless people of Madhya Pradesh and Chhattisgarh for cultivation purposes; and

(d) if not, the reasons therefor?

Answer

MINISTER FOR ENVIRONMENT AND FORESTS (SHRI T.R.BAALU)

(a) to (d) A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN PARTS (a) TO (d) OF REPLY TO THE LOK SABHA STARRED QUESTION NO. 213 BY RAMANAND SINGH REGARDING `ENCROACHED FOREST LAND` DUE FOR REPLY ON 06.08.2001.

(a) and (b) The Rules and Guidelines framed under the Forest (Conservation) Act, 1980 provide for regularisation of the encroachments made on forest lands by the local communities for cultivation purposes prior to 25.10.1980. Such regularisation is permissible only if the concerned State Government had evolved certain eligibility criteria in accordance with local needs and conditions and had taken a decision to regularise such encroachments but could not implement their decision either wholly or partially before the enactment of the Forest (Conservation) Act, 1980 on 25.10.1980.

Regularisation of any such encroachments made after 25.10.1980, the date of Forest (Conservation) Act, 1980 coming into effect, is not permissible.

(c) and (d) Encroachments on 1.03 lakh hectare of forest land in the 46 districts of Madhya Pradesh made before 31.12.1976 were regularised by the Ministry in July, 1990.

The erstwhile State of Madhya Pradesh have submitted an additional proposal for regularisation of encroachments on 1.83 lakh hectare of forest land as per details below:-

Category	Period of encroachment	Area (ha.)	No. of families
I	Up to 31.12.1976	64966.633	46642
II	01.01.1977 to 06.03.1979	106565.401	96115
III	07.03.1979 to 25.10.1980	11953.981	9281

Category-I proposal covers only such cases that had been left out in the earlier proposal. Approval for regularisation of encroachments covered under this category has been issued in May, 2001, subject to certain conditions.

Examination of Category-II proposal reveals that regularisation of encroachments by certain non-eligible persons have also been included in the proposal. The State Governments of Madhya Pradesh and Chhattisgarh have been requested to revise their proposals and work out the area on the basis of the eligibility criteria existing on 6.3.1979.

Category-III proposal could not be approved because the State Government has not given any documentary evidence about the policy decision to regularise the encroachments on forest land up to 25.10.1980.